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Action

EUR FROM: PARIS

Info

TO: Secretary of State

RMR

NO: POLTO 2725, MARCH 19, 8 P.M.

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PRIORITY

SENT DEPARTMENT POLTO 2725, REPEATED INFORMATION LONDON POLTO 734, BONN POLTO 464, MOSCOW POLTO 152, BERLIN POLTO 61.

NAC MEETING MARCH 19 - GERMANY

NAC DISCUSSION OF PROGRESS REPORT OF WORKING GROUP, CONTINUED FROM YESTERDAY'S MEETING (POLTO 2702) FOCUSED ON BERLIN ASPECT OF WORKING GROUP PAPER, ESPECIALLY ON QUESTION OF LEGAL BASIS OF WESTERN POWERS IN BERLIN. DISCUSSION REVEALED NO RPT NO NEW IDEAS BUT APPEARED QUITE HELPFUL IN EDUCATING COUNCIL MEMBERS REGARDING COMPLEXITIES OF BERLIN SITUATION.

COUNCIL FIRST TURNED ATTENTION TO QUESTION RAISED BY SPAAK AS TO WHETHER BERLIN PROBLEM COULD BE CONSIDERED IN ISOLATION FROM OVER-ALL GERMAN PROBLEM. SPAAK EXPRESSED CONCERN THAT DUTCH AND CANADIAN RESPONSES TO FOUR-POWER QUESTIONNAIRE SUGGESTED THAT BERLIN COULD BE DISCUSSED SEPARATELY FROM GERMAN PROBLEM WHICH SPAAK BELIEVED RAN COUNTER TO POSITION TAKEN BY COUNCIL SINCE DECEMBER. CANADA EXPLAINED ITS STATEMENT GIVING PRIORITY TO BERLIN PROBLEM MEANT ONLY THAT IF NO RPT NO PROGRESS MADE TOWARD OVER-ALL GERMAN SETTLEMENT, DISCUSSION WITH SOVIETS WOULD BE CENTERED ON BERLIN AND IN THESE CIRCUMSTANCES BERLIN WOULD HAVE TO BE DISCUSSED SEPARATELY FROM BROADER ISSUES IN UN IN "SPLENDID ISOLATION". THEREFORE NECESSARY TO GIVE BERLIN PRIORITY IN PREPARATION FOR DISCUSSION WITH SOVIETS. DUTCH PERMREP EXPLAINED THEY WERE CONCERNED LEST WEST MAKE CONCESSIONS REGARDING EUROPEAN SECURITY IN RETURN FOR SOVIET CONCESSIONS REGARDING BERLIN. IF THIS AVOIDED, NETHERLANDS

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HAD NO OBJECTION TO SEEKING SOLUTION OF BERLIN
PROBLEM IN CONTEXT OF OVER-ALL GERMAN SETTLEMENT. ITALY ALSO
EXPRESSED VIEW BERLIN COULD NOT RPT NOT BE DISSOCIATED
FROM DISCUSSION OF OVER-ALL GERMAN PROBLEM.

SPAAK NEXT RAISED QUESTION AS TO MEANING OF STATEMENT IN
WORKING GROUP REPORT THAT TO ESTABLISH PRESENCE OF ALLIES
IN BERLIN ON A CONTRACTUAL BASIS MIGHT BE TO TAKE INITIATIVE
HAVING GRAVE CONSEQUENCES. FRENCH PERMREP EXPLAINED STATEMENT
PROBABLY MEANT THAT WESTERN POSITION IN BERLIN BASED ON
ABSOLUTE RIGHT OF OCCUPATION AND THAT IF THIS GIVEN UP
PRESENCE OF ALLIES IN BERLIN WOULD HAVE MUCH LESS SOLID
BASIS. THERE FOLLOWED LONG DISCUSSION IN WHICH SPAAK STRESSED
COUNCIL HAD TAKEN POSITION IN DECEMBER ON BASIS OF CONTRACTUAL
AGREEMENTS WITH SOVIETS. SAW NO RPT NO ADVANTAGE IN SAYING
ONLY LEGAL BASIS IS RIGHT OF OCCUPATION. EMPHASIZED
ADVERSE EFFECT ON PUBLIC OPINION IF WEST WERE TO FIGHT
BECAUSE SOVIETS LEAVING BERLIN. SHOULD BE IN POSITION TO
SAY SOVIETS MIGHT WITHDRAW BUT GDR MUST OBSERVE OBLIGATIONS
TAKEN BY SOVIETS. SPAAK ALSO RAISED QUESTION AS TO WHETHER
THIS COULD BE DONE WITHOUT "TALKING" TO EAST GERMAN AUTHORITIES.

NORWAY EXPRESSED VIEW THAT LEGAL RIGHTS OF WEST SHOULD NOT
RPT NOT BE GIVEN UP BUT IF NEW CONTRACTUAL BASIS COULD BE
AGREED WHICH WOULD PROTECT WEST POSITION SAW NO RPT NO
REASON WHY IT SHOULD NOT RPT NOT BE ACCEPTED IF ALTERNATIVE
WERE DRIFTING INTO CONFLICT. UNITED KINGDOM PERMREP EMPHASIZED
THAT RUSSIA WAS SUGGESTING NEW STATUS FOR BERLIN.
PROBLEM IS WHETHER WE REJECT THIS SUGGESTION OR TRY TO FIND
SOME OTHER PROPOSAL. WORKING GROUP HAD NOT RPT NOT ATTEMPTED
TO ANSWER THIS BUT MERELY CALLING ATTENTION TO SITUATION.

NORWAY RAISED QUESTION OF ROLE OF UN. FELT IT WAS NECESSARY
TO LOOK INTO BERLIN PROBLEM FROM THIS ANGLE SINCE WE MIGHT
HAVE TO TAKE THE QUESTION TO UN AND, THEREFORE, WOULD BE DE-
SIRABLE TO STUDY HOW THIS COULD BE DONE AND ROLE UN COULD PLAY.
SPAAK POINTED UP DANGERS OF APPEAL TO UN COMING FROM POSSIBLE
SOVIET VETO, FELT PROPOSAL TO MOVE UN HEADQUARTERS TO BERLIN
UNREALISTIC BUT MIGHT BE INTERESTING TO SOLICIT VIEW OF OTHER
COUNCIL MEMBERS REGARDING SUGGESTION TO MOVE EUROPEAN ORGANI-

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By AL NARA, Date 1-8-78

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ZATIONS HEADQUARTERS OF UN TO BERLIN. CANADA STATED UN MIGHT HAVE ROLE TO PLAY REGARDING ACCESS TO BERLIN ESPECIALLY IF SITUATION BECAME CRITICAL. FELT IT WAS IMPORTANT TO TRY TO CLARIFY POSITION ON UN ROLE IN BERLIN BEFORE ANY VAIN ATTEMPT MADE TO SEIZE UN OF PROBLEM UNDER ARTICLE 52 OF CHARTER. INDICATED CANADA WOULD CIRCULATE PAPER TO COUNCIL GIVING ADDITIONAL VIEWS ON UN ROLE IN BERLIN.

COUNCIL DISCUSSED PROBLEM OF GERMAN REUNIFICATION AND EUROPEAN SECURITY ONLY BRIEFLY POSTPONING FURTHER DISCUSSION UNTIL MARCH 25 MEETING. SPAAK, HOWEVER, TOOK OCCASION TO POINT OUT WESTERN POWERS OUGHT NOT RPT NOT TO ATTEMPT FORMULATION OF POSITION COVERING ALL EVENTUALITIES BUT SHOULD AGREE ON GOOD INITIAL POSITION LEAVING SOME FLEXIBILITY FOR ACTUAL NEGOTIATIONS WITH SOVIETS.

UNITED STATES AT CLOSE OF MEETING STATED WORKING GROUP WAS WORKING ON REPLY TO SOVIET NOTE OF MARCH 2 BUT COULD NOT RPT NOT BE CERTAIN WHEN DRAFT WOULD BE READY FOR SUBMISSION TO COUNCIL. SPAAK ASKED THAT, IN SUBMITTING DRAFT, SUFFICIENT TIME SUCH AS 48 HOURS BE ALLOWED TO GIVE PERMREPS OPPORTUNITY TO CONSULT THEIR GOVERNMENTS. DISCUSSION OF WORKING GROUP REPORT WILL BE RESUMED AT MARCH 25 MEETING.

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